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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**PURDUE PHARMA L.P., et al.,

Debtors.¹**

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

**DECLARATION OF BENJAMIN S. KAMINETZKY
IN SUPPORT OF DEBTORS' OMNIBUS OBJECTION TO THE OFFICIAL
COMMITTEE'S MOTIONS TO COMPEL PRODUCTION OF THE DEBTORS'
PRIVILEGED DOCUMENTS AND CROSS-MOTION FOR A PROTECTIVE ORDER**

I, Benjamin S. Kaminetzky, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at the law firm Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, New York 10017, counsel for the Debtors² in the above-captioned action. I

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

² Capitalized terms used in this Declaration and not otherwise defined shall have the meanings ascribed to

respectfully submit this declaration in support of the *Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order* filed contemporaneously herewith.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the Declaration of Benjamin S. Kaminetzky in Support of Debtors' Motion to Extend the Preliminary Injunction, *In re Purdue Pharma, et al. v Commonwealth of Massachusetts, et al.*, Adv. Pro. No. 19-08289 (RDD) (Bankr. S.D.N.Y. Sept. 16, 2020) [ECF No. 199].

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Declaration of Benjamin S. Kaminetzky in Support of the Debtors' Motion to Extend the Preliminary Injunction, *In re Purdue Pharma, et al. v. Commonwealth of Massachusetts, et al.*, Adv. Pro. No. 19-08289 (RDD) (Bankr. S.D.N.Y. March 4, 2020) [ECF No. 148].

4. Attached hereto as **Exhibit 3** is a true and correct copy of an email from K. Benedict to M. Hurley and K. Porter, dated February 11, 2020.

5. Attached hereto as **Exhibit 4** is a true and correct copy of an email from L. Cohan to K. Porter, dated October 31, 2019.

6. Attached hereto as **Exhibit 5** is a true and correct copy of a letter from R. Hoff to M. Hurley, dated February 3, 2020.

7. Attached hereto as **Exhibit 6** is a true and correct copy of an email from K. Porter to M. Clarens, C. Duggan, B. Kaminetzky and M. Huebner, dated March 19, 2020.

8. Attached hereto as **Exhibit 7** is a true and correct copy of an email from M. Clarens to K. Porter, C. Duggan and M. Huebner, dated March 25, 2020.

them in the Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order.

9. Attached hereto as **Exhibit 8** is a true and correct copy of an email from R. Williams to M. Clarens, C. Duggan and M. Huebner, dated April 17, 2020.

10. Attached hereto as **Exhibit 9** is a true and correct copy of an email from M. Clarens to R. Williams, C. Duggan and M. Huebner, dated April 20, 2020.

11. Attached hereto as **Exhibit 10** is a true and correct copy of an email from M. Hurley to M. Clarens, R. Williams, C. Duggan and M. Huebner, dated April 21, 2020.

12. Attached hereto as **Exhibit 11** is a true and correct copy of an email from C. Duggan to M. Hurley and R. Williams, dated April 22, 2020.

13. Attached hereto as **Exhibit 12** is a true and correct copy of an email from M. Clarens to C. Duggan, M. Hurley and R. Williams, dated April 24, 2020.

14. Attached hereto as **Exhibit 13** is a true and correct copy of an email from M. Clarens to C. Duggan, M. Hurley and R. Williams, dated April 24, 2020.

15. Attached hereto as **Exhibit 14** is a true and correct copy of an email from J. Sorkin to M. Clarens, C. Duggan, M. Hurley and R. Williams, dated April 27, 2020.

16. Attached hereto as **Exhibit 15** is a true and correct copy of an email from M. Clarens to J. Sorkin, C. Duggan, M. Hurley and R. Williams, dated April 28, 2020.

17. Attached hereto as **Exhibit 16** is a true and correct copy of an email from J. Sorkin to M. Clarens, C. Duggan, M. Hurley and R. Williams, dated May 1, 2020.

18. Attached hereto as **Exhibit 17** is a true and correct copy of an email from J. Sorkin to M. Clarens, C. Duggan, M. Hurley and R. Williams, dated May 5, 2020.

19. Attached hereto as **Exhibit 18** is a true and correct copy of an email from M. Clarens to J. Sorkin, C. Duggan, M. Hurley and R. Williams, dated May 5, 2020.

20. Attached hereto as **Exhibit 19** is a true and correct copy of an email from J. Sorkin to M. Clarens, C. Duggan, M. Hurley and R. Williams, dated May 12, 2020.

21. Attached hereto as **Exhibit 20** is a true and correct copy of an email from M. Clarens to J. Sorkin, C. Duggan, M. Hurley and R. Williams, dated May 18, 2020.

22. Attached hereto as **Exhibit 21** is a true and correct copy of an email from J. Poon to M. Clarens, dated May 20, 2020.

23. Attached hereto as **Exhibit 22** is a true and correct copy of an email from M. Clarens to J. Poon, dated May 25, 2020.

24. Attached hereto as **Exhibit 23** is a true and correct copy of an email from J. Sorkin to M. Clarens and J. Poon, dated May 25, 2020.

25. Attached hereto as **Exhibit 24** is a true and correct copy of an email from M. Clarens to J. Sorkin and J. Poon, dated June 5, 2020.

26. Attached hereto as **Exhibit 25** is a true and correct copy of an email from P. LaFata to M. Hurley, K. Porter, A. Preis, A. Miller, S. Brauner and E. Lisovicz, dated October 21, 2019.

27. Attached hereto as **Exhibit 26** is a true and correct copy of an email from P. LaFata to M. Hurley, K. Porter, A. Preis, A. Miller, S. Brauner and E. Lisovicz, dated November 1, 2019.

28. Attached hereto as **Exhibit 27** is a true and correct copy of an email from P. LaFata to M. Hurley, K. Porter, A. Preis, A. Miller, S. Brauner and E. Lisovicz, dated November 5, 2019.

29. Attached hereto as **Exhibit 28** is a true and correct copy of an email from P. LaFata to M. Hurley, K. Porter, A. Preis, A. Miller, S. Brauner and E. Lisovicz, dated November 18, 2019.

30. Attached hereto as **Exhibit 29** is a true and correct copy of an email from C. McMillian to K. Porter, dated January 31, 2020.

31. Attached hereto as **Exhibit 30** is a true and correct copy of an email from K. Porter to K. Benedict and C. McMillian, dated January 8, 2020.

32. Attached hereto as **Exhibit 31** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 8, 2020.

33. Attached hereto as **Exhibit 32** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated January 8, 2020.

34. Attached hereto as **Exhibit 33** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated January 14, 2020.

35. Attached hereto as **Exhibit 34** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 14, 2020.

36. Attached hereto as **Exhibit 35** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 16, 2020.

37. Attached hereto as **Exhibit 36** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated January 16, 2020.

38. Attached hereto as **Exhibit 37** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 16, 2020.

39. Attached hereto as **Exhibit 38** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated January 16, 2020.

40. Attached hereto as **Exhibit 39** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 16, 2020.

41. Attached hereto as **Exhibit 40** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated January 17, 2020.

42. Attached hereto as **Exhibit 41** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 17, 2020.

43. Attached hereto as **Exhibit 42** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 22, 2020.

44. Attached hereto as **Exhibit 43** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 22, 2020.

45. Attached hereto as **Exhibit 44** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated January 22, 2020.

46. Attached hereto as **Exhibit 45** is a true and correct copy of an email from C. McMillian to K. Porter and K. Benedict, dated January 22, 2020.

47. Attached hereto as **Exhibit 46** is a true and correct copy of an email from K. Porter to C. McMillian and K. Benedict, dated, January 22, 2020.

48. Attached hereto as **Exhibit 47** is a true and correct copy of an email from C. Oluwole to A. Preis, dated March 19, 2020.

49. Attached hereto as **Exhibit 48** is a true and correct copy of an email from C. Oluwole to K. Porter, dated April 23, 2020.

50. Attached hereto as **Exhibit 49** is a true and correct copy of an email from J. Sorkin to J. McClammy and M. Huebner, dated May 11, 2020.

51. Attached hereto as **Exhibit 50** is a true and correct copy of an email from C. Oluwole to M. Hurley, J. Sorkin, A. Preis, K. Porter, J. Murphy, S. Brauner and K. Tongalson, dated May 12, 2020.

52. Attached hereto as **Exhibit 51** is a true and correct copy of an email from C. Oluwole to J. Sorkin, M. Hurley, A. Preis, K. Porter, J. Murphy, S. Brauner, K. Tongalson, C. Matheson and D. Windscheffel, dated May 15, 2020.

53. Attached hereto as **Exhibit 52** is a true and correct copy of a letter from M. Hurley to M. Huebner, P. LaFata and R. Hoff, dated January 2, 2020.

54. Attached hereto as **Exhibit 53** is a true and correct copy of an email from M. Clarens to M. Hurley and J. Poon, dated March 7, 2020.

55. Attached hereto as **Exhibit 54** is a true and correct copy of a letter from M. Hurley to C. Duggan and J. McClammy, dated July 30, 2020.

56. Attached hereto as **Exhibit 55** is a true and correct copy of a letter from J. McClammy to M. Hurley, dated August 14, 2020.

57. Attached hereto as **Exhibit 56** is a true and correct copy of an email from J. Sorkin to C. Oluwole and A. Preis, dated September 4, 2020, and the attached draft Notice of 30(b)(6) Deposition of the Debtors, dated September 4, 2020.

58. Attached hereto as **Exhibit 57** is a true and correct copy of an email from J. McClammy to J. Sorkin, dated September 22, 2020.

59. Attached hereto as **Exhibit 58** is a true and correct copy of an email from K. Porter to C. Duggan, A. Guo, R. King, M. Clarens, C. Oluwole, J. McClammy, and others, dated October 9, 2020.

60. Attached hereto as **Exhibit 59** is a true and correct copy of a letter from M. Hurley to J. McLaughlin, dated July 29, 2020.

61. Attached hereto as **Exhibit 60** is a true and correct copy of a letter from M. Hurley to M. Hischfield, dated July 29, 2020.

62. Attached hereto as **Exhibit 61** is a true and correct copy of a letter from M. Hurley to J. Dougherty, dated July 29, 2020.

63. Attached hereto as **Exhibit 62** is a true and correct copy of a letter from M. Hurley to E. Heapy, dated July 29, 2020.

64. Attached hereto as **Exhibit 63** is a true and correct copy of a letter from M. Hurley to J. Ball, dated July 29, 2020.

65. Attached hereto as **Exhibit 64** is a true and correct copy of a letter from M. Hurley to A. Lees, dated July 29, 2020.

66. Attached hereto as **Exhibit 65** is a true and correct copy of a letter from M. Hurley to M. Herrington, dated July 29, 2020.

67. Attached hereto as **Exhibit 66** is a true and correct copy of the Transcript of the Deposition of Marianna Sackler, dated September 2, 2020.

68. Attached hereto as **Exhibit 67** is a true and correct copy of an email from C. Oluwole to S. Elizabeth and J. McClammy, dated September 23, 2020.

69. Attached hereto as **Exhibit 68** is a true and correct copy of a letter from J. McClammy to M. Hurley, dated September 29, 2020.

70. Attached hereto as **Exhibit 69** is a true and correct copy of an email from C. Oluwole to K. Porter, K. LaCroix, J. Richards and D. Chau, dated October 3, 2020.

71. Attached hereto as **Exhibit 70** is a true and correct copy of an email from J. McClammy to K. Porter, dated May 22, 2020.

72. Attached hereto as **Exhibit 71** is a true and correct copy of an email from A. Troop to J. McClammy and C. Oluwole, dated July 6, 2020.

73. Attached hereto as **Exhibit 72** is a true and correct copy of a letter from P. Fitzgerald to O. Foster, dated March 10, 2020.

74. Attached hereto as **Exhibit 73** is a true and correct copy of a letter from G. Scannapieco, K. Murphy, J. Ferketic and M. Drescher to P. Fitzgerald, dated June 18, 2019.

75. Attached hereto as **Exhibit 74** is a true and correct copy of an email from J. Richards to S. Shariff and A. Crawford, dated September 13, 2020.

76. Attached hereto as **Exhibit 75** is a letter from J. Sorkin to S. Hecker and J. Dabbs, dated October 8, 2020.

77. Attached hereto as **Exhibit 76** is a true and correct copy of the Transcript of the Deposition of David Sackler, dated August 28, 2020.

78. Attached hereto as **Exhibit 77** is a true and correct copy of the Transcript of the Deposition of Ilene Sackler Lefcourt, dated September 18, 2020.

79. Attached hereto as **Exhibit 78** is a true and correct copy of the Transcript of the Deposition of Stephen Ives, dated September 22, 2020.

80. Attached hereto as **Exhibit 79** is a true and correct copy of the Transcript of the Deposition of Theresa Sackler, dated September 24, 2020.

81. I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 14, 2020
New York, New York

/s/ Benjamin S. Kaminetzky
Benjamin S. Kaminetzky